

Division of Environmental Response and Remediation

(UST AND CERCLA ANNUAL GOALS)  
(STATE FISCAL YEAR 2004)

# **DEPARTMENT OF ENVIRONMENTAL QUALITY**

## **DIVISION OF ENVIRONMENTAL RESPONSE AND REMEDIATION**

### **ANNUAL GOALS**

#### **STATE FISCAL YEAR 2004**

#### **UST BRANCH**

## **I. ENVIRONMENT**

1. Contaminated LUST sites will be cleaned up to levels that are protective of human health and the environment.

### **Measures:**

- a. Review and closeout 130 LUST sites between July 1, 2003 and June 30, 2004.
- b. Develop project schedules for state lead sites. Proceed according to project schedules toward site cleanup and closure.
- c. Increase the percent of confirmed LUST sites cleaned up and closed out.
- d. Monitor and evaluate the impact of MTBE on groundwater in Utah.

2. Prevent releases of hazardous and toxic substances into the environment.

### **Measures:**

- a. For all sub-goals under this goal, update report on progress towards goal quarterly.
- b. Conduct or insure completion of leak detection inspections at 100% of the facilities throughout the state by June 30, 2004.
- c. 80% of inspected facilities in substantial compliance with leak detection requirements after 60-day inspection follow-up.
- d. 90% of inspected facilities in substantial compliance with operational requirements after 60-day inspection follow-up.
- e. Identify facilities that remain in non-compliance with release detection & operational requirements two months after the inspection date and initiate appropriate compliance actions.
- f. 95% of operational facilities have current Certificate of Compliance by June 30, 2004.
- g. Track effectiveness of various leak detection methods, including undetected releases, false alarms and inconclusive results.

## **II. PROGRAM DEVELOPMENT AND CONTINUOUS IMPROVEMENT FOR EFFICIENT CLEANUP OF LUST SITES**

### **Measures:**

- a. Prioritize potential UST enforcement actions by July 31, 2003, and update priority list quarterly.
- b. Complete contracts for two pay-for-performance projects by June 30, 2004.
- c. Support effort to draft legislation for 2004. Meet with stakeholder groups as required.
- d. Process claims through the Executive Secretary (UST) signature within 30 days of receipt.
- e. To cost recover state money used to investigate, abate and /or cleanup LUST sites, where the RP is unknown, unwilling, and/or unable, increase the number of cost recovery actions initiated, funds recovered, and settlement agreements completed from the previous fiscal year.
- f. By March 1, 2004 develop a guidance document for project managers on the use of Natural Attenuation at LUST sites.

## **III. EMPLOYEES**

1. Provide employees clear guidance and direction to successfully fulfill their responsibilities.

### **Measures:**

- a. Negotiate performance plans, consistent with strategic goals and objectives, with specific measurable performance criteria for all staff, by June 30, 2004.
  - b. Conduct informal 1 on 1 performance reviews quarterly for all staff to discuss status of assigned projects and provide feedback and direction. Formal review by June 30, 2004.
2. Implement measures to allow for employee development.

### **Measures:**

- a. Develop a training needs list by October 1, 2003.
- b. Recognize staff for specific exemplary performance in customer service, individual task accomplishments, teamwork, and support for Department Mission, Vision, and Operating Principles.
- c. If funding allows, provide training for all employees, appropriate to experience and need of each person, and provide at least one training opportunity for each staff member by June 30, 2004.

#### **IV. CUSTOMER SERVICE**

1. Improve customer service by conducting pro-active public communication and education activities.

##### **Measures:**

- a. Publish bi-annual Newsletter by November 2003 and May 2004.
- b. Project manager visit small owner PST eligible sites within 30 days of receiving confirmation of release. Document each visit and compile the results. Report results quarterly.
- c. Each project manager will perform 15 site visits to LUST sites in order to provide customer assistance to owners.

#### **V. DETERMINE AND EVALUATE BUDGETARY REQUIREMENTS TO MANAGE A VIABLE UST PROGRAM**

##### **Measure:**

- a. Complete budget for staffing, equipment, travel and organizational needs by November 11, 2003. Review budget status within 30 days after the end of each quarter.

#### **VI. ENHANCE POLICY MAKERS= (LEGISLATURE, OTHER ELECTED OFFICIALS, AND BOARDS) UNDERSTANDING OF ENVIRONMENTAL ISSUES**

1. Keep the Utah Solid and Hazardous Waste Control Board (SHWCB) informed of important and relevant information regarding the UST Program.

##### **Measures:**

- a. At each SHWCB meeting, prepare relevant information for Board members on environmental policy issues.

## **VII. COORDINATION WITH LOCAL HEALTH DEPARTMENTS AND LOCAL GOVERNMENTS**

1. Provide adequate oversight of local health departments.

### **Measures:**

- a. Review contract performance with local health departments by December 1, 2003 and May 15, 2004.
- b. Conduct semi-annual inspections training by December 31, 2003 and June 30, 2004.

# **DEPARTMENT OF ENVIRONMENTAL QUALITY**

## **DIVISION OF ENVIRONMENTAL RESPONSE AND REMEDIATION ANNUAL GOALS STATE FISCAL YEAR 2004 CERCLA BRANCH**

### **I. UTAH SUPERFUND PROGRAM**

1. Perform Site Assessment Work.

#### **Measures:**

- a. Conduct Site Assessment work in compliance with EPA guidance and regulations and complete the work according to the schedule in the Utah/EPA Cooperative Agreement.
- b. Evaluate the Site Discovery Program and report progress to EPA quarterly.
- c. Assess the status of Site Assessment Projects quarterly to ensure the quality and efficiency of the work performed by the Branch is optimal.
- d. Monitor budgets and funding to ensure that adequate funding is available and spending is in compliance with applicable budgets and funding agreements.
- e. Respond to public inquiries regarding ongoing site activities and conduct the required Superfund public participation activities.
- f. Review and comment on EPA lead site assessment projects.

2. Manage Federal Superfund Projects in Utah.

#### **Measures:**

- a. Complete activities for Federal projects within the time frames negotiated with EPA and in accordance with applicable regulations and guidance.
- b. Utilize the Project Planning Template at appropriate times, in consultation with EPA, to establish and define agency roles and responsibilities.
- c. Ensure that adequate funding is available (through EPA cooperative agreements, PRP funding agreements or other financial mechanisms) to perform the required duties.
- d. Monitor spending to ensure that funds are expended in compliance with applicable agreements and contacts.
- e. Inform the public of ongoing site activities and conduct the required Superfund public participation activities.

3. Manage Federal Facility Projects in Utah.

**Measures:**

- a. Complete activities as required by the Federal Facility Agreements (FFA), and in accordance with applicable regulations and guidance.
- b. Ensure that adequate funding is available (through EPA cooperative agreements, DSMOA, PRP funding agreements or other financial mechanism) to perform the required duties.
- c. Monitor spending to ensure that funds are expended in compliance with applicable agreements.
- d. Inform the public of ongoing site activities and participate in the required community involvement activities
- e. Evaluate non-DOD/DOE federal facilities, determine the proper state role in these projects, and provide input as appropriate.
- f. Evaluate Formerly Used Defense Sites (FUDS) in Utah, coordinate with DSHW, and partner with the Army Corps of Engineers to cleanup and close out FUDS in Utah as resources and funding allow.

4. Partner with EPA for Brownfields Development in Utah.

**Measures:**

- a. Assist interested local governments with Brownfields proposal applications for pilot funding.
- b. Provide assessment services for Brownfields projects.
- c. Provide a State Brownfields coordinator for all Brownsfields projects.
- d. Coordinate Brownfields activities with appropriate EPA personnel.
- e. Promote Brownfields opportunities through community outreach.
- f. Develop the State Brownfields program as allowed by funding and legislation.
- g. Monitor the status of new federal Brownfields legislation and modify the state program as appropriate.

5. Perform Operation and Maintenance and Encourage Redevelopment of Sites Where Remedies are Complete.

**Measures:**

- a. Monitor sites in the O&M Program in accordance with the approved O&M Plans and applicable regulations and guidance.
  - b. Ensure that adequate funding is available (through EPA cooperative agreements, PRP funding agreements or other financial mechanism) to perform the required duties.
  - c. Monitor spending to ensure that funds are expended in compliance with applicable agreements.
  - d. Implement and revise as necessary, a plan to ensure activities associated with all sites are properly monitored.
  - e. Encourage and facilitate redevelopment of remediated sites.
6. Ensure that the Branch has the equipment necessary to perform Superfund activities and that it is regularly serviced.

**Measures:**

- a. Continue to implement the equipment security program in order to preserve state assets, and make revisions and modifications as necessary.
- b. Continually monitor supplies and restock when necessary.
- c. Conduct an inventory and inspection of equipment during the fourth quarter of the State fiscal year and ensure that equipment is operational.

**II. STATE RESPONSE PROGRAM**

1. Obtain Cooperative Agreement funding under Section 128 of the Small Business Liability Relief and Brownfields Revitalization Act to enhance the State Response Program.

**Measures:**

- a. Prepare application and scope of work to enhance the State Response Program.
  - b. Receipt of funding to implement the Cooperative Agreement.
2. Implement the Cooperative Agreement.

**Measures:**

- a. Develop procedures to identify, prioritize, and evaluate sites in the State Response Program.
- b. Complete site investigations through the State Response Program.

**III. STATE VOLUNTARY CLEANUP PROGRAM**

1. Establish procedures for implementation of the voluntary cleanup program and promote voluntary cleanup of contaminated sites.

**Measures:**

- a. Develop rules, guidance and procedures for implementation of the State voluntary cleanup program as necessary.
  - b. Coordinate program processes with all divisions in DEQ.
  - c. Actively promote the VCP as a viable option for cleanup of contaminated sites.
  - d. Meet periodically with the VCP Committee to discuss the program.
2. Manage Voluntary Cleanup Projects.



**Measures:**

- a. Complete activities for voluntary projects in accordance with applicable regulations and guidance.
- b. Monitor spending to ensure that funds are expended in compliance with applicable agreements and rules.
- c. Inform the public of ongoing site activities and conduct the appropriate public participation activities.
- d. Update VCP site status list quarterly.

**IV. EMERGENCY RESPONSE, EPCRA AND HOMELAND SECURITY PROGRAMS**

1. Respond to imminent Superfund and HSMA environmental hazards.

**Measures:**

- a. Respond to requests for assistance to the extent allowable under existing rules and resources availability.
  - b. Receive and document spill notifications and notify appropriate agencies.
2. Monitor and support EPA Emergency Response Branch activities.

**Measures:**

- a. Participate in EPA emergency responses to the extent allowed by EPA and resource availability.
  - b. Review and comment as appropriate on reports, agreements, and other documents associated with EPA ERB activities.
3. Maintain and Improve DERR's capabilities to respond to environmental emergencies and conduct removal actions.

**Measures:**

- a. Continue to coordinate emergency response and Homeland security issues with the Department Emergency Response Workgroup.
  - b. Represent DEQ in various Homeland security meetings and workgroups.
  - c. Review and update the DERR response plan to ensure that it is current.
4. Participate in state-wide Emergency Response coordination and training activities.

**Measures:**

- a. Participate in State wide incident exercises.
  - b. Participate in local and national committees and work groups.
5. Perform required Title III (Tier II and TRI) duties.

**Measures:**

- a. Compile and enter the data as submitted.
- b. Prepare the annual Tier II and TRI reports.
- c. Provide data to the public when requested.
- d. Actively participate in the SERC with CEM.

**V. LEADERSHIP IN UTAH, THE WESTERN REGION, AND NATIONALLY IN THE PROGRAMS ADMINISTERED BY THE SUPERFUND BRANCH**

- 1. Provide support to the Department in pursuing legislation to strengthen the State Program.

**Measures:**

- a. Recommend legislative amendments to the Department administration as requested.
  - b. Evaluate funding needs and recommend a budget to the Department as requested.
  - c. Participate in the initiative to develop legislation as requested.
- 2. Strengthen the State role in the Federal Superfund Program.

**Measures:**

- a. Promote an expanded role for States in discussions and negotiations with EPA personnel.
  - b. Participate in regional and national organizations that promote expanded State involvement in Superfund and enhance the Utah Program.
- 3. Pursue Natural Resource Damages (NRD) claims at appropriate sites.

**Measures:**

- a. Evaluate Utah sites for potential NRD claims.
  - b. Coordinate NRD activities with interested stakeholders.
- 4. Use technology to manage information in DERR and make it available to the public.

**Measures:**

- a. Develop a response program information management system.
- b. Participate in Department meetings and workgroups to evaluate Internet issues.
- c. Identify areas that the Branch could improve the Internet Home Page and public access to information that is maintained by the Branch.

**VI. BUDGET AND FUNDING**

- 1. Regularly evaluate the status of the Branch budget and ensure that there are adequate funds to complete the required work.

**Measures:**

- a. Meet monthly in Branch management meetings to review the Branch budget report.
  - b. Make adjustments to budgets as necessary and as allowed by current rules and law.
2. Obtain Funds to support Branch projects.

**Measures:**

- a. Enter funding agreements with appropriate parties to provide the resources necessary to ensure that Branch staff are able to participate in various projects.
  - b. Submit cooperative agreement applications for federal funding as necessary and appropriate.

**VII. CUSTOMER SERVICE**

1. Promptly respond to information requests, ensure files are current, and provide public access to Superfund records in compliance with GRAMA.

**Measures:**

- a. Coordinate all records requests with the Division Records Manager.
  - b. Ensure that all files are current and properly organized.
2. Apply Operating Principles and Enlibra philosophy in work activities.

**Measures:**

- a. Promote adherence to the Operating Principles and Enlibra philosophy in Branch staff meetings.
  - b. Ensure all communications are consistent with the Operating Principles and Enlibra.

**VIII. PARTNERSHIPS WITH FEDERAL, STATE, LOCAL AND TRIBAL GOVERNMENTS**

1. Strengthen the working relationship with EPA counterparts and maintain a positive, professional working relationship with EPA staff.

**Measures:**

- a. Communicate frequently with staff, management, and support personnel at EPA.

- b. Meet regularly with representatives of EPA to discuss all aspects of the Superfund program in Utah.
  - c. Maintain a partnership relationship with EPA through application of the Operating Principles and participation in partnership meetings and retreats.
- 2. Support Department initiatives to enhance relationships with local and tribal governments.

**Measures:**

- a. Provide information as requested.
  - b. Participate in meetings as requested.
  - c. Ensure communication with policy makers is in accordance with the Operating Principles and Enlibra philosophy.
- 3. Ensure complete and accurate information regarding Branch activities is available to all partners and customers.

**Measures:**

- a. Complete EPA quarterly reports as required by federal regulation.
  - b. Complete Division goals report as required.
  - c. Complete regular updates as required by Branch Policy.

**IX. COORDINATION WITH LOCAL HEALTH DEPARTMENTS AND LOCAL GOVERNMENTS**

- 1. Communicate regularly with local health officials regarding Branch activities.

**Measures:**

- a. Notify local health officials and district engineers regarding Branch activities in their areas.
  - b. Give local health officials and district engineers' opportunity to participate in Branch activities.
  - c. Coordinate identification of sites for inclusion in Branch programs with local officials.

**X. EMPLOYEES**

- 1. Foster a climate where employees can function at their fullest potential. Enhance staff job satisfaction and ensure that staff are recognized for their accomplishments.

**Measures:**

- a. Conduct Branch staff meetings at least quarterly.
  - b. Issue Quality Recognition Awards for accomplishment of major goals or milestones.

- c. Provide recognition for quality work through On-The-Spot Awards, certificates, public recognition, verbal acknowledgments, etc.
- 2. Ensure adequate staff are available to conduct the required work.

**Measures:**

- a. Evaluate staffing needs for fiscal year 2004 based on the projected workload and funding.
  - b. Conduct recruitment as necessary to fill vacant positions.
  - c. Ensure that recruitments are completed expeditiously and efficiently.
- 3. Provide proper safety training and equipment for the Division staff and coordinate safety training for the Department staff as needed.

**Measures:**

- a. Track safety training for the Division staff.
  - b. Provide or coordinate the necessary safety training for the Division.
  - c. Comply with the Division health and safety program.
  - d. Monitor the safety equipment needs of the Division.
  - e. Procure equipment to ensure that all Division staff have the necessary safety equipment.
  - f. Provide appropriate fit testing for Division staff.
- 4. Administrate the Medical Monitoring Program for the Division.

**Measures:**

- a. Track physical examinations for Division staff.
  - b. Schedule physical examinations for Division staff as necessary.
  - c. Assist with administration of the medical monitoring contract.
- 5. Ensure that staff are adequately trained to perform their assigned duties.

**Measures:**

- a. Meet with individual staff members and identify individual training needs.
  - b. Provide training opportunities for staff that will improve their knowledge and skills in their individual areas of expertise.
- 6. Ensure that staff have a clear understanding of performance expectations and status.

**Measures:**

- a. Prepare clear, concise, measurable performance plans.
  - b. Incorporate strategic and Branch goals into individual performance plans.
  - c. Conduct mid-year informal performance evaluations.

- d. Conduct formal performance reviews annually as required by DHRM.
- e. Incorporate Operating Principles and Enlibra philosophy into performance plans.

**XI. ENHANCE POLICY MAKERS (ELECTED OFFICIALS, AND BOARDS)  
UNDERSTANDING OF ENVIRONMENTAL ISSUES**

- 1. Keep the statutory boards informed of Superfund Activities as requested.
- 2. Attend board meetings and provide project information and updates as requested.
- 3. Support Department efforts to inform policy makers of environmental issues.

**Measures:**

- a. Provide information as requested.
- b. Participate in meetings and provide input as requested.
- c. Promote DEQ policies and programs in all communication with policy makers.